

## Permitting & Assistance Branch Staff Report

Revised Solid Waste Facilities Permit for  
Construction and Demolition Recycling

SWIS No. 19-AA-1077

October 30, 2017

### **Background Information, Analysis, and Findings:**

This report was developed in response to the Los Angeles County, Department of Public Health, Solid Waste Management Program Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for Construction and Demolition Recycling, SWIS No. 19-AA-1077, located in South Gate and owned by Carerncar, LLC and operated by Construction and Demolition Recycling, Inc. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on September 20, 2017. New proposed permits were received on October 18, 2017 and October 24, 2017. Action must be taken on this permit no later than December 23, 2017. If no action is taken by December 23, 2017, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

### **Proposed Changes:**

The following changes to the first page of the permit are being proposed:

	Current Permit (2008)	Proposed Permit
Name & Mailing Address of Operator	Interior Removal Specialist, Inc. 9309 Rayo Avenue South Gate, CA 90280	Construction and Demolition Recycling, Inc. 8990 Atlantic Avenue South Gate, CA 90280
Mailing Address of Owner	Carerncar, LLC 9309 Rayo Avenue South Gate, CA 90280	Carerncar, LLC 8990 Atlantic Avenue South Gate, CA 90280
Permitted Waste Type	Only Source Separated Construction, Demolition and Inert Debris	Non-hazardous Solid Waste (See 18. Specifications)  [Municipal Solid Waste (MSW); Construction, Demolition and Inert Debris (CDI); and Green Waste]
Permitted Maximum Tonnage	3,000 Tons Per Day (TPD)* *(See 18B)  Phase I, 1-2 Operating Years: 500 TPD Phase II, 3-5 Operating Years: 1,500 TPD Phase III, 6-10 Operating Years: 3,000 TPD	3,000 TPD (See 18. Specifications)*  *The facility shall not receive more than 3,000 TPD (which includes up to 2,000 TPD of MSW and up to 1,000 TPD of CDI and green waste, with a maximum of 500 TPD of green waste).

Other changes include edits to the following sections of the SWFP: "Findings," rewording and additions for the purpose of updating and clarifying, "Prohibitions," rewording for the purpose of updating and clarifying, "Documents," addition of a new, updated Transfer/Processing Report and a new Final Mitigated Negative Declaration, "Self-Monitoring," rewording, additions and deletions for the purpose of updating and clarifying, "Standard Requirements," rewording, additions and deletions for the purpose of updating and clarifying, and "Particular Requirements," rewording, additions and deletions for the purpose of updating and clarifying.

**Key Issues:**

The proposed permit will allow for the following:

1. Receiving and processing municipal solid waste (MSW) and green waste (and the continuation of receiving construction and demolition/inert (CDI) debris);
2. Limiting the receipt of CDI and green waste up to 1,000 TPD, with a maximum of green waste at 500 TPD and MSW at 2,000 TPD (permitted maximum daily tonnage will be the same at 3,000 TPD);
3. Constructing a new 52,800 square foot transfer/processing building that will be fully enclosed with a misting system and sorting operation;
4. Receiving, sorting, storing and removing MSW within the new transfer/processing building;
5. Receiving green waste outside on a concrete pad;
6. Adding a grinder that will be placed near the green waste;
7. Processing and removing the green waste within 48 hours; and
8. Updating the Transfer/Processing Report (TPR).

**Background:**

The owner of the property, Carerncar, LLC, owns two businesses on the site: Construction and Demolition Recycling (CDR) and Interior Removal Specialists (IRS). IRS is a demolition company that uses the site for equipment storage and other ancillary activities. Operations for IRS occur on the adjacent property to the west (APN: 6222-005-017). IRS initially received a registration permit as a medium volume CDI debris processing facility in 2005. However, in 2008 CDR obtained a full SWFP for the site.

CDR operates to the east of IRS on APNs: 6222-005-025 and 6222-005-016. CDR received a full SWFP as a large volume CDI transfer/processing facility in 2008. The facility was developed in phases. During phase I (first two years of operation), the facility was permitted to handle up to 500 TPD. During phase II (started in the third year of operation), the facility was permitted to handle up to 1,500 TPD. The facility is now entering into phase III, where it will be permitted to handle up to 3,000 TPD. The permitted area remains at 7 acres, and hours of operation continue to be 24 hours/7 days per week.

**Findings:**

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated September 20, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on January 15, 2013. The LEA provided a copy to the Department on February 6, 2013.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on October 24, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on July 10, 2017, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the Non-disposal Facility Element, as described in their memorandum dated October 17, 2017.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on October 11, 2017. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on September 20, 2017, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on August 30, 2017. No written or verbal comments were received by LEA. Department staff has not received any oral or written comments. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

### **Compliance History:**

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on October 11, 2017, and found that the facility is in compliance with applicable state minimum standards and permit conditions.

Below are the details of the facility's compliance history based on the LEA's monthly inspection reports during the last five years:

- September 2012 – September 2017 - No violations were noted.

### **Environmental Analysis:**

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the County of Los Angeles, Department of Public Health, Solid Waste Management Program, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include:

- Receiving and processing MSW and green waste (with the continuation of receiving and processing CDI debris);
- Limiting the receipt of CDI and green waste up to 1,000 TPD, with a maximum of green waste at 500 TPD and MSW at 2,000 TPD (permitted maximum daily tonnage will be the same at 3,000 TPD);
- Constructing a transfer/processing building that will be fully enclosed with a misting system and sorting operation;
- Receiving, sorting, storing and removing MSW within the transfer/processing building; and

- Adding a grinder to process the green waste.

These changes are supported by the following environmental document.

An Initial Study/Mitigated Negative Declaration (MND), State Clearinghouse No. 2016101048, was circulated for a 30 day comment period from October 19, 2016 to November 18, 2016. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation Monitoring and Reporting Program. The MND, together with the Mitigation Monitoring and Reporting Program, was approved by the Lead Agency on July 31, 2017.

The Los Angeles County, Department of Public Health, Solid Waste Management Program (LEA), has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental document.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the MND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff has reviewed and considered the CEQA record and recommends the MND is adequate for the Branch Chief's approval of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the MND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Ryan Egli, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

### **Public Comments:**

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on August 30, 2017, at the Banquet Room in South Gate Park, in the City of South Gate. Six members of the public were in attendance. No written or verbal comments were received by the LEA.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meeting on October 17, 2017. No comments have been received by Department staff.